

REMARKS

It is noted that claims 30-38 are withdrawn as directed to non-elected subject matter.

The title has been amended in the manner suggested by the examiner.

The examiner notes that certain references listed in the specification have not been considered, since they are not listed in the Information Disclosure Statement. Submitted herewith is a Supplemental Information Disclosure Statement, citing the two references from the specification which were not listed in the previous IDS. The amended claims herein distinguish from these references for the reason set forth in the specification.

The examiner also objects to the IDS filed March 25, 2002, and states that "the information referred to therein has not been considered." The objection is not understood. First, it is noted that the examiner has initialed the references in the form PTO-1449 accompanying the IDS, indicating that they have, in fact, been considered. In any event, they certainly should have been considered. 37 C.F.R. §1.98(a)(1), cited by the examiner, simply requires that whatever information is submitted for consideration be listed in the IDS and this was, in fact, done. The information submitted for consideration is the very information listed in the IDS and initialed by the examiner. 37 C.F.R. §1.98(a)(1) requires nothing more. Accordingly, reconsideration and withdrawal of this objection is respectfully asked.

Furthermore, it is noted that the claims have been rejected on the basis of a patent (4,037,061 to vonRecklinghausen) which is not listed on the Notice of References cited (form PTO-892) attached to the action. It is respectfully requested that, in the next action, that reference be listed so that it is properly made of record.

Claims 24 and 39 are rejected under 35 U.S.C. §112 as being indefinite. Claims 24 and 39 have been cancelled.

Claims 24-29 and 39-44 are rejected under 35 U.S.C. §102 or 103 as being anticipated by or unpatentable over U.S. patent no. 4,037,061 to vonRecklinghausen. Claims 24 and 39 have been cancelled.

A significant aspect of the invention is the provision of a method and apparatus for mounting an acoustic transducer in a location-defining and energy-isolating manner. In particular, there is provided a one-piece, non-elastomeric plastic bushing structure including hingedly interconnected opposed portions which can be folded about the transducer to a closed condition and snap-fitted together in that condition. In order to clarify this unique aspect of the invention, claim 25 has been amended to recite providing a structure “formed of non-elastomeric polymeric plastics material” and “having hingedly interconnected opposed portions of bushing means,” and to further recite the steps of “placing the transducer between the opposed portions, hingedly closing the opposed portions along opposed sides of the transducer, and snap-fitting the opposed portions together about the transducer.” Similarly, claim 40 has been amended to recite, in addition to the “unitary structure formed of a non-elastomeric polymeric plastics material and including opposed portions of bushing means”, “hinge structure interconnecting the opposed portions for movement between open and closed conditions, structure on the opposed portions operable in the closed condition for engaging an associated transducer in a location-defining and energy-isolating manner, and snap structure on each of the opposed portions cooperating to snap-fit the opposed portions together in the closed condition.”

No such arrangement is disclosed or suggested by vonRecklinghausen. First, the frame members 8 and 9 of vonRecklinghausen are not “hingedly interconnected”, nor is there any disclosure that they are formed of “non-elastomeric polymeric plastics material.” All that vonRecklinghausen says is that they are “plastic.” (See column 2, line 58). Furthermore, there is

no snap structure on those members to cooperate to snap-fit them together in a closed condition. Rather, they are held together with screws. Accordingly, it is believed that, as amended, claims 25-29 and 40-44 are clearly patentable over vonRecklinghausen and, accordingly, allowance of these claims is respectfully asked.

Respectfully submitted,

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A handwritten signature in cursive script, reading "Jerry Statman", written over a horizontal line.